

## REMARKS

This paper is responsive to a non-final Office action dated November 18, 2003. Claims 1-26 were examined. Applicant appreciates the indication of allowable subject matter in claims 11, 14 – 20, 23, and 24. Claims 1 – 8 and 11 – 33 are pending. Applicant has cancelled claims 9 and 10 without prejudice, and reserves the right to pursue similar subject matter in the future. Applicant has also added new claims 27 – 33. Claims 1, 11, and 26 have been amended to clarify the claims. Claim 20 has been amended to convert it into an independent claim.

### *Rejections under 35 U.S.C. §102(b)*

The Office Action has rejected claims 1, 8, 9, 10, and 26 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,541,927 to Kristol et al. (“Kristol”). Claims 9 and 10 have been cancelled without prejudice. Applicant respectfully traverses the rejections.

Kristol discloses protocols for combining acknowledgements from individual multicast destinations. The protocol disclosed in Kristol consolidates LOBs from the destinations. In table 1 of column 6, LOB is defined a list of outstanding blocks. The LOB is further defined in the tables as a bit map representing the outstanding blocks between  $LW_r$  and  $LW_r + L - 1$ . Table 1 defines L as the largest allowed number of outstanding blocks and  $LW_r$  as the maximum sequence number of the block, below which every packet in every block has been correctly received as known at the destination. A designated multicast destination of a jurisdiction consolidates the LOBs of the other multicast destinations of the same jurisdiction (col. 9, line 25 – col. 10 line 24). The consolidated LOB indicates blocks of a jurisdiction that have not been sent, but does not indicate multicast destinations that have not received or have not acknowledged receipt of multicast information.

Kristol does not suggest or disclose “merging the respective acknowledgements into a merged acknowledgement, **wherein the merged acknowledgement indicates which of the plurality of targets received the multicast information**” as in claim 1, and “means for combining received acknowledgements indicating whether the multicast information was successfully received, into a **combined acknowledgement that indicates those of the plurality of target nodes that acknowledged successful receipt of the multicast information**” as in

claim 26. The consolidated status of Kristol indicates which blocks to re-multicast to a jurisdiction (col. 9, line 66 – col. 11, line 67). The consolidated status does not provide indication of particular destinations. Hence, the multicast supplier re-multicasts the missing blocks to all destinations of the jurisdiction, regardless of whether the individual destinations already have the re-multicast blocks.

Kristol does not anticipate the subject matter of claims 1, 8 and 26. For at least the reasons stated above, Applicant respectfully submits that Applicant's claims 1, 8, and 26 are allowable over the indicated prior art.

*Rejections under 35 U.S.C. §103(a)*

The Office Action has rejected claims 2 – 5, 7, and 11 under 35 USC §103(a) as being unpatentable over Kristol in view of U.S. Patent No. 5,502,756 granted to Crocker et al. (“Crocker”). The Office Action has also rejected claims 12, 13, 21, 22, and 25 under 35 USC §103(a) as being unpatentable over Kristol in view Crocker, and further in view of Applicant's background. The Office Action identifies claim 11 as rejected, but does not provide an explanation of the rejection. The Office Action also identifies claim 11 as having allowable subject matter. Applicant respectfully presumes that claim 11 has allowable subject matter and has not been rejected under 35 U.S.C. §103(a).

As previously stated, Kristol consolidates LOBs from individual multicast destinations. The Office Action relies on Crocker for disclosure of telephone local exchange switches and telephone interexchange switches. Crocker does not disclose or suggest multicasting or multicast acknowledgements. Kristol, Crocker, and Applicant's background do not, in combination or standing alone, suggest or disclose “a switching medium coupled to supply the multicast information to the respective receiving nodes simultaneously and to receive and combine the respective acknowledgements into **a combined acknowledgement that indicates which of the plurality of receiving nodes acknowledged receipt of the multicast information**” as in claim 26, and “multicast acknowledgement merging logic coupled with the plurality of ports, **the logic to generate a merged multicast acknowledgement that indicates acknowledging target nodes of a multicast**” as in claim 27.

Kristol, Crocker, and Applicant's background, standing alone or in combination, do not teach or suggest Applicant's claimed invention. For at least the reasons stated above, Applicant respectfully submits that Applicant's independent claims 12 and 27 are allowable. Claims 2 – 7, 13 – 19, 21 – 25, and 28 – 33 are dependent on corresponding ones of the above allowable independent claims. Applicant respectfully submits that all of the dependent claims are allowable for at least the reasons discussed above. Claim 11 has been amended to stand as an independent claim that includes the subject matter of claim 1. Claim 20 has been amended to stand as an independent claim.

Conclusion

In summary, claims 1 – 8 and 11 – 33 are in the case. All claims are believed to be allowable over the art of record, and a Notice of Allowance to that effect is respectfully solicited. Nonetheless, if any issues remain that could be more efficiently handled by telephone, the Examiner is requested to call the undersigned at the number listed below.

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Respectfully submitted,



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